

number (that ultimately were successful) after Plaintiff specifically objected and refused to provide his social security number. This civil rights action seeks declaratory and prospective injunctive relief along with damages for the violations of Plaintiff's privacy rights

II. JURISDICTION

2. This claim concerns the violation of federal statutory law and civil rights over which this Court has jurisdiction pursuant to 28 U.S.C. §§1331 and 1343. Remedies against state and municipal defendants are provided by 42 U.S.C. § 1983.

III. VENUE

3. Venue properly lies in this Court pursuant to 28 U.S.C. § 1391 because the events that form the basis for this Complaint occurred in this district.

IV. PARTIES

4. Plaintiff, Michael Stollenwerk, is a United States citizen and legal resident of Pennsylvania. Since 1981, Plaintiff has continuously served on active duty in the United States Army at various locations in the United States and overseas, and presently is stationed at Fort Belvoir, Virginia. His present mailing address is 5573 Jowett Court, Alexandria, VA 22315.

5. Defendant Colonel Jeffrey B. Miller ("Miller"), is the commissioner of the Pennsylvania State Police ("PSP") and has a mailing address of Pennsylvania State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110. Miller is sued in his official capacity for declaratory and prospective injunctive relief because Miller, as commissioner of PSP, is responsible for administering certain provisions of the UFA and, in this instance, the PSP requires a person to disclose his or her social security number before it will process a LTCF application nor will it process a purchase / transfer application for a fireman without a social security number.

Furthermore, the individual's social security number is printed on the face of the LTCF and left in dealer's records and paperwork. Defendant Miller also is sued in his individual capacity.

6 Defendant Major John K. Thierwechter ("Thierwechter") is the Director, Bureau of Records and Identification at the PSP and has a mailing address of Pennsylvania State Police, 1800 Elmerton Avenue, Harrisburg, PA 17110. Thierwechter is sued in his official and individual capacities for declaratory and injunctive relief and compensatory damages.

7 Defendant, Lancaster County Sheriff's Office ("Sheriff's Office"), is a municipal agency of Lancaster County, with a mailing address of 50 North Duke Street, P.O. Box 83480, Lancaster, PA 17608-3480. The Sheriff's Office is responsible for administering certain provisions of the UFA including conducting a required background check of an applicant's character. Based on an official custom and policy, the Sheriff's Office would not process Plaintiff's application, refused to conduct the statutorily required character investigation and summarily denied Plaintiff a LTCF solely because Plaintiff would not disclose his social security number. The Sheriff's Office is sued for declaratory and injunctive relief and compensatory damages.

8 Defendant, Terry A. Bergman ("Bergman"), is the Sheriff of Lancaster County with a mailing address of 50 North Duke Street, P.O. Box 83480, Lancaster, PA 17608-3480. Bergman is sued in his official and individual capacities for declaratory and injunctive relief and compensatory damages.

V. FACTUAL BACKGROUND

9 On or about June 29, 2003, Plaintiff went to purchase a firearm in Lancaster County, Pennsylvania at the US Prospectors Sporting Goods store at 3941 Columbia Ave., Columbia, PA, 17512.

10 Plaintiff selected a handgun for purchase and presented multiple forms of identification pursuant to the federal Brady Act and Pennsylvania's UFA.

11 Plaintiff declined the dealer's request for Plaintiff's private social security number after Plaintiff informed the dealer that the federal gun purchase / transfer form (BATFE Form 4473) warns that disclosure of the social security number by the buyer is "OPTIONAL" (see exhibit "A")

12 The dealer then contacted the PSP by telephone to have PSP conduct Pennsylvania's Instant Check System ("PICS"), but the PSP refused to initiate the PICS check without a social security number. Consequently, Plaintiff was not allowed to purchase a handgun.

13 Thus, Plaintiff was denied the purchase of a handgun solely because he refused to disclose his private social security number through the Dealer to the PSP, which the PSP demanded be produced before the PSP would process his request to purchase a firearm pursuant to 18 Pa. C.S. § 6111 (b) (1) of the UFA.

14 On June 30, 2003, Plaintiff telephoned the PSP and requested the right to appeal the PSP's denial of his gun purchase request. PSP employees John Snyder and Corporal Picaa informed Plaintiff that Plaintiff could not appeal the denial because no PICS check was ever conducted based on Plaintiff's refusal to disclose his social security number.

15 On or about July 7, 2003, Plaintiff submitted an application for a LTCF to the Sheriff's Office, a copy of which is attached hereto as Exhibit "B."

16 Pursuant to his federal rights under the Privacy Act, Plaintiff elected not to disclose his private social security number on the application.

17. Plaintiff did enclose other forms of identification, including a driver's license, passport, utility bills and bank statements so that Plaintiff's identification could be verified. See documents attached to application at Exhibit "B". As per Eastern District Local Rules, personal information is redacted on all Exhibits.

18. No where does the LTCF application indicate whether the disclosure of an individual's social security number is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

19. On July 11, 2003, the Sheriff's Office informed Plaintiff that his First Application was denied because Plaintiff had not disclosed his social security number. The denial letter is attached hereto as Exhibit "C."

20. On November 4, 2003, Plaintiff again submitted an application for a LTCF to the Sheriff's Office. Application attached hereto as Exhibit "D".

21. Plaintiff again did not disclose his social security number but provided other forms of identification, including a driver's license, passport, voter identification card, utility bills and all the other information required for identification and residency requirements.

22. As indicated on the rejected application, on December 1, 2003, the Sheriff's Office denied Plaintiff's Second Application stating "Did Not Provide Soc. Sec. #"

23. On December 1, 2003, Sheriff Bergman sent a letter to the Plaintiff stating that Plaintiff's application had been rejected because Plaintiff refused to disclose his social security number. The letter also stated that the PSP refused to initiate a background check without a social security number and that the social security number must be provided so that it can be displayed on the LTCF as is required by 18 Pa. C.S.A. § 6109 (e) (3) of the UFA. The second denial letter is attached as Exhibit "E."

24 Thereafter, on or about April 27, 2004, the Sheriff's Office contacted by phone and through a series of electronic email messages Chief Warrant Officer 5 Randal L. Doyle of the Military Police at the United States Army Criminal Investigative Command at Fort Belvoir, Virginia. During these communications, the Sheriff's Office specifically elicited the social security number of Plaintiff from Officer Doyle in apparent violation of the Privacy Act and other federal statutes. This was done notwithstanding that the Sheriff's Office knew that Plaintiff had not and did not want to disclose his social security number for privacy reasons and that no investigation pertaining to LTCF applications was ongoing (because Plaintiff's two previous LTCF applications already had been rejected).

25 At all relevant times herein, the Defendants were state actors acting under color of state law.

26 At all relevant times herein, the Sheriff's Office had an official policy and / or custom (or an official decision was made by the Sheriff or other policy making individual) to demand social security numbers on all LTCF applications in violation of the Privacy Act and to utilize an application form that did not make the disclosures required by the Privacy Act.

27 At all relevant times herein, Defendants Miller, Thierwechter and Bergman, in their supervisory roles, had knowledge of and acquiesced in the violation of Plaintiff's federal rights; failed to train subordinates and employees regarding individuals' rights under the Federal Privacy Act; failed to prevent recurrence of misconduct after having being notified of the significant flaws with Pennsylvania's UFA and the problems with the policies / procedures of the PSP and Sheriff's Office; and failed to take immediate corrective action thereby sending a message of approval that the PSP and Sheriff's Office could continue to violate the privacy rights of individuals.

VI. LEGAL BASIS

28. In adopting the Privacy Act of 1974, Pub L 93-579, 88 Stat 1896, 2194, 5

U.S.C. 552a (note), Congress set forth in Section 2 the following findings:

(1) the privacy of an individual is directly affected by the collection, maintenance, use, and dissemination of personal information by Federal agencies;

(2) the increasing use of computers and sophisticated information technology, while essential to the efficient operations of the Government, has greatly magnified the harm to individual privacy that can occur from any collection, maintenance, use, or dissemination of personal information;

(3) the opportunities for an individual to secure employment, insurance, and credit, and his right to due process, and other legal protections are endangered by the misuse of certain information systems;

(4) the right to privacy is a personal and fundamental right protected by the Constitution of the United States; and

(5) in order to protect the privacy of individuals identified in information systems maintained by Federal agencies, it is necessary and proper for the Congress to regulate the collection, maintenance, use, and dissemination of information by such agencies.

29. Section 7 (a) (1) of the Privacy Act provides that "It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security number."

30. Section 7 (b) further provides that "Any Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it."

31 “In enacting Section 7, Congress sought to curtail the expanding use of social security numbers by federal and local agencies and, by so doing, to eliminate the threat to individual privacy and confidentiality of information posed by common numerical identifiers.” *Boyle v. Wilson*, 529 F. Supp. 1343, 1348 (D. Del. 1982) (citing S. Rep. No. 1183, 93rd Cong., 2d Sess. Reprinted in (1974) U.S. Code Cong. & Ad. News 6916, 6944)

32. Under Pennsylvania’s Uniform Firearms Act, 18 Pa. C.S.A. §§ 6101 *et seq.*, and pursuant to PSP’s and the Sheriff’s Office’s requirements, policies and procedures, persons who seek to purchase a gun or obtain a LTCF must disclose their social security number in direct violation of the Privacy Act.

33 For example, the LTCF application that is prepared by the Pennsylvania State Police (“PSP”) requires applicants to disclose his or her SSN as was explained in a July 10, 2003 letter sent to Appellant by Defendant John K. Thierwechter, Director, Bureau of Records and Identification. Defendant Thierwechter acknowledged that federal law does not require disclosure of an individual’s social security number but he indicated that under Pennsylvania law no application would be processed without the disclosure of a social security number. Correspondence attached hereto as Exhibit “F”.

34 Moreover, an applicant’s social security number is actually required to be printed on the face of the license pursuant to 18 Pa. C.S.A. § 6109 of the UFA. This can result in the future forced disclosure of a person’s private social security number because a person must carry the license with him or her and may be required to display the license to law enforcement officers upon their demand. *See* 18 Pa. C.S. § 6106

35. The application for a LTCF nowhere provides the warning required by Section 7 (b) of the Privacy Act regarding whether the disclosure of the social security number is

mandatory or voluntary, the statutory authority for such disclosure and what uses will be made of it. This violates the plain language of the Privacy Act and infringes upon Plaintiff's due process rights

36. While the Privacy Act does exempt " . . . a system of records in existence and operating before January 1, 1975, *if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual* ", Section 7 (a) (2) (B) (emphasis added), (hereinafter "grandfather provision"), no such system was in place in Pennsylvania at that time for purchasing a gun or obtaining a LTCF and therefore the grandfather provision is not applicable.

37. Pennsylvania's UFA and Defendants' application of the UFA violates the Federal Privacy Act and the Fourteenth Amendment of the United States Constitution, including the fundamental right to privacy and due process of law. Moreover, it also implicates rights under the Second Amendment of the Constitution and Article I, Section 21 of the Pennsylvania Constitution

VII. CAUSES OF ACTION

COUNT I

Plaintiff v. Defendants Miller, Thierwechter and Bergman in their official capacities and
Defendant Lancaster County Sheriff's Office
(Declaratory and Prospective Injunctive Relief
under 42 U.S.C. § 1983 for violations of the Federal Privacy Act)

38. Plaintiff incorporates by reference paragraphs 1 through 37 as if fully set forth herein.

39. Pennsylvania's UFA facially and as applied violates the Federal Privacy Act because:

- a) it requires a citizen to provide and disclose his or her social security number in order to receive the rights, privileges and benefits of purchasing or otherwise transferring a gun or obtaining a LTCF in violation of Section 7 (a) (1) of the Act;
- b) it fails to provide the mandatory warning in the LTCF application and gun purchase / transfer application regarding the use of social security numbers in violation of Section 7 (b) of the Act; and
- c) it requires the publication and forced disclosure of the social security number by printing the social security number on the LTCF in violation of the Privacy Act and in violation of a citizen's Constitutional right to privacy.

WHEREFORE, Plaintiff seeks declaratory and prospective injunctive relief against Defendants Miller, Thierwechter, Bergman and the Sheriff's Office as follows:

- a. Take jurisdiction of this matter;
- b. Grant a trial by jury;
- c. Grant declaratory and prospective injunctive relief against Defendants Miller, Thierwechter, Bergman and the Sheriff's Office as follows:

- i. declare that Pennsylvania's UFA facially violates the Federal Privacy Act;
- ii. declare that Pennsylvania's UFA as applied to Plaintiff violated Plaintiff's rights under the Federal Privacy Act;
- iii. enjoin Defendants from requiring the disclosure of an individual's social security number as a precondition for purchasing or otherwise transferring a firearm or obtaining a LTCF;
- iv. require Defendants to set forth the mandatory social security privacy warnings within the LTCF and gun purchase / transfer applications as

required by section 7 (b) of the Federal Privacy Act concerning the optional disclosure and use of social security numbers;

- v. enjoin Defendants from printing social security numbers on the LTCF or otherwise disseminating the social security number;
- vi. order the Defendants to expunge, delete and remove any and all references to Plaintiff's social security number obtained pursuant to the UFA from all paper and electronic systems of records, correspondence or documents maintained by Defendants; and
- vii. order the Defendants to notify all individuals holding a valid LTCF that the Defendants or appropriate agency will, upon request, provide a replacement license at no cost that does not contain the individual's social security number.

d. Award Plaintiff prejudgment interest, reasonable attorneys' fees and costs as permitted by law against all Defendants; and

e. Award such other and further relief, as this Court may deem appropriate.

COUNT II

Plaintiff v All Defendants

(42 U.S.C. § 1983 for violating Plaintiff's rights under the Federal Privacy Act, Fourteenth Amendment and for violating Plaintiff's rights under the Pennsylvania Constitution)

40. Plaintiff incorporates by reference paragraphs 1 through 39 as if fully set forth

41. Defendants violated Plaintiff's rights under the Federal Privacy Act, the Fourteenth and Second Amendment of the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution by denying Plaintiff the right, benefit and privilege provided under the UFA to purchase a gun and to obtain a LTCF because of Plaintiff's refusal to disclose his

social security account number. Defendants essentially placed an unconstitutional condition on Plaintiff, *i.e.* disclose your private, protected social security number or be denied an important right, benefit or privilege.

42 Defendants violated Plaintiff's rights under the Federal Privacy Act, the Fourteenth and Second Amendments to the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution by covertly obtaining Plaintiff's social security number after Plaintiff specifically indicated he did not want to disclose his social security number.

43 The actions of the Defendants violated clearly established federal rights of the Plaintiff.

44 As a proximate result of the Defendants' actions, Plaintiff has suffered the violation of his federal rights under the Privacy Act and the Fourteenth and Second Amendments to the United States Constitution as well as a violation of his rights under Article I, Section 21 of the Pennsylvania Constitution.

45 Plaintiff also has incurred costs / expenses arising out of Defendants' actions.

WHEREFORE, Plaintiff requests the following relief against all the Defendants:

- a. Take jurisdiction of this matter;
- b. Grant a trial by jury;
- c. Grant declaratory and compensatory relief against Defendants in their individual capacities (and official capacities when appropriate and necessary) as follows:
 - i declare that Defendants violated Plaintiff's rights under the Federal Privacy Act, the Fourteenth Amendment of the United States Constitution and Article I, Section 21 of the Pennsylvania Constitution;

- ii. order Defendants to process Plaintiff's LTCF application and request to transfer a firearm without requiring Plaintiff to disclose his social security number;
 - iii. order the Defendants to expunge, delete and remove any and all references to Plaintiff's social security number obtained pursuant to the UFA from all paper and electronic systems of records, correspondence or documents maintained by Defendants;
 - iv. order the Defendants to notify all individuals holding a valid LTCF that the Defendants or appropriate agency will, upon request, provide a replacement license at no cost that does not contain the individual's social security number ;
 - v. grant Plaintiff damages for violation of his federal rights and for the associated expenses and costs associated therewith;
- d. Award Plaintiff prejudgment interest, reasonable attorneys' fees and costs as permitted by law against all Defendants; and
- e. Award such other and further relief, as this Court may deem appropriate.

Date: 11/24/04

Respectfully submitted,

GIBBEL, KRAYBILL & HESS

By: 

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OMB NO. 1512-0123

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

FIREARMS TRANSACTION RECORD PART I - OVER-THE-COUNTER

WARNING: You may not receive a firearm if prohibited by Federal or State Law. The information you provide will be used to determine whether you are prohibited under law from receiving a firearm. Prepare in original only. All entries must be in ink. Read the Important Notices, Instructions and Definitions on the back of this form.

Section A - Must Be Completed Personally By Transferee (Buyer)

1. Transferee's Full Name (Last, First, Middle) _____

2. Residence Address (No., Street, City, County, State, ZIP Code; cannot be a post office box) _____

3. Place of Birth (City, State or foreign country) _____

4. Height _____ Weight _____

5. Date of Birth (Month _____ Day _____ Year _____)

6. Social Security Number (Optional, but will help prevent misidentification) _____

8. Race (Ethnicity) (Check one or more boxes)

☐ American Indian or Alaska Native ☐ Black or African American ☐ Native Hawaiian or Other Pacific Islander

☐ Hispanic or Latino ☐ Asian ☐ White

9. What is your State of residence (if any)? _____ (See Definition 5. If you are not a citizen of the United States, you have a State of residence only if you have resided in a State for at least 90 days prior to the date of this sale.)

10. What is your country of citizenship? (List more than one, if applicable) _____

11. If you are not a citizen of the United States, what is your INS-issued alien number or admission number? _____

Certification of Transferee

12. Answer questions 12a through 12l by writing "yes" or "no" in the boxes to the right of the questions.

a. Are you the actual buyer of the firearm(s) listed on this form? **Warning:** You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you. (See Important Notice 1 for actual buyer definition and examples.)

b. Are you under indictment or information in any court for a felony or any other crime, for which the judge could imprison you for more than one year? (An information is a formal accusation of a crime by a prosecutor. See Definition 3.)

c. Have you been convicted in any court of a felony or any other crime, for which the judge could have imprisoned you for more than one year, even if you received a shorter sentence including probation? (See Important Notice 8, Exception 1 and Definition 4.)

d. Are you a fugitive from justice?

e. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic, or any other controlled substance?

f. Have you ever been adjudicated mentally defective (which includes having been declared incompetent to manage your own affairs) or have you ever been committed to a mental institution?

g. Have you been discharged from the Armed Forces under dishonorable conditions?

h. Are you subject to a court order restraining you from harassing, stalking, or threatening your child or an intimate partner or child of such partner? (See Important Notice 7.)

i. Have you been convicted in any court of a misdemeanor crime of domestic violence? (See Important Notice 6, Exception 1 and Definition 4.)

j. Have you ever renounced your United States citizenship?

k. Are you an alien illegal in the United States?

l. Are you a nonimmigrant alien? (See Definition 6.)

13. If you are a nonimmigrant alien, you fall within any of the exceptions set forth in Important Notice 6, Exception 2?

Yes ☐ No ☐ Not applicable ☐ (If "yes," the licensee must complete question 15c.)

I certify that the above answers are true and correct. I understand that answering "yes" to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony. I understand that a person who answers "yes" to any of the questions 12b through 12k is prohibited from purchasing or receiving a firearm. I understand that a person who answers "yes" to question 12l is prohibited from purchasing or receiving a firearm, unless the person also answers "yes" to question 13. I also understand that making any false oral or written statement, or exhibiting any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony. I further understand that the repetitive purchase of firearms for the purpose of resale for livelihood and profit without a Federal firearms license is a violation of law. (See Important Notice 8.)

14. Transferee's Signature _____

15. Date _____

ATF F 4473 (5300.9) PART I (10-2001) PREVIOUS EDITIONS ARE OBSOLETE

EXHIBIT "A"

Section B - Must Be Completed By Transferor (Seller)

16. Type of firearm(s) to be transferred:

☐ Handgun ☐ Long Gun ☐ Both

17. Location of sale if at a gun show. (See instruction to Transferor 13.) _____ (city, state)

18 a. Type of Identification (e.g., driver's license or other valid government-issued photo identification): _____

Number on Identification: _____

Expiration Date of Identification (if any): _____ (See instruction to Transferor 1.)

18 b. Aliens only: Types and dates of additional required identification (e.g., utility, lease agreements. See instruction to Transferor 2.) _____

18 c. Nonimmigrant aliens only: Type of documentation submitted to the nonimmigrant alien prohibition (e.g., hunting license/permit, waiver. See instruction to Transferor 3.) _____

Question 19, 20, or 21 Must Be Completed Prior To The Transfer Of The Firearm(s) (See Instructions to Transferor 5-7.)

19a. The transferor's identifying information in Section A was transmitted to NICS or the appropriate state agency on: _____ (Date)

19b. The NICS or state transaction number (if provided) was: _____

19c. The response initially received from NICS or the appropriate state agency was:

☐ Proceed ☐ Denied ☐ Delayed

19d. If initial NICS or state response was "Delayed," the following response was received from NICS or the appropriate state agency on: _____ (Date)

☐ Proceed ☐ Denied ☐ No resolution was provided within 3 business days.

19 e. The name and Brady identification number of the NICS examiner (if provided):

(name) _____ (number) _____ (optional)

20 ☐ No NICS check was required because the transfer involved only NFA firearm(s). (See instruction to Transferor 7.)

21 ☐ No NICS check was required because the buyer has a valid permit which qualifies as an exemption to NICS. (See instruction to Transferor 7.)

State Permit Type: _____ Date of issuance: _____

Expiration Date (if any): _____ Permit Number: _____

Section C

If the transfer of the firearm(s) takes place on a different day from the date that the transferee signed Section C immediately prior to the transfer of the firearm(s). (See instruction to Transferor 3 & instruction to Transferee 1.)

I certify that the answers I provided to the questions in Section A of this form are still true and correct.

22. Transferee's Signature _____

23. Date _____

Section D

24. Manufacturer and/or Importer	25. Model	26. Serial Number	27. Type (pistol, revolver, rifle, shotgun, etc.)	28. Caliber or Gauge

Complete Questions 29-30 For Multiple Purchases Of Handguns (See instruction to Transferor 11.)

29. Trade/Corporate name and address of transferor (hand stamp may be used): _____

30. Federal Firearms License Number (hand stamp may be used): _____

On the basis of (1) the statements in Section A, (2) my verification of identity noted in question 18a and my verification again at the time of transfer (if the transfer does not occur on the same day the verification was noted in question 18a); and (3) the information in the current State Laws and Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport or otherwise dispose of the firearm(s) listed on this form to the person identified in Section A.

The Person Actually Transferring The Firearm(s) Must Complete Questions 31-34.

31. Transferor's Name (Please print.)	32. Transferor's Signature	33. Transferor's Title	34. Date Transfer is completed

ATF F 4473 (5300.9) PART I (10-2001)

Important Notice Regarding Changes to the Firearms Transaction Record Part 1 - Over-the-Counter (Form 4473)

ATF F 4473 (5300.9) Part I - Page 3

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IMPORTANT NOTICES

- 1 The purchaser of this form, who asks the actual buyer if you are purchasing the firearm for yourself or otherwise acquiring it from another person, is asking the question if you are purchasing the firearm from your relationship to him or her. You are also the actual buyer if you are requesting the firearm as a legitimate gift for a third party.
- ACTUAL BUYER EXAMPLES: Mr. Smith asks Mr. Jones to purchase a firearm for Mr. Smith. Mr. Smith gives Mr. Jones the money for the firearm. Mr. Jones is NOT the actual buyer of the firearm and must answer "no" to question 12a. The firearm may not transfer the firearm to Mr. Jones. However, if Mr. Brown goes to buy a firearm with his own money to give to Mr. Black as a present, Mr. Brown is the actual buyer of the firearm and should answer "yes" to question 12a.
- 2 Under 18 U.S.C. § 922, firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18 U.S.C. § 922 may determine if he or she lawfully may sell or deliver a firearm to the person specified in Section A, and to alert the buyer of certain restrictions on the receipt and possession of firearms. This form can only should be used for sales or transfers where the seller is licensed under 18 U.S.C. § 922.
- 3 The Brady Law, 18 U.S.C. § 922(f), requires the seller transferring a firearm to be an unlicensed person, a licensed importer, manufacturer, or dealer must report the National Instant Criminal Background Check System (NICS) to determine whether the sale complies with any federal or state laws. NICS does not prohibit purchases prohibited by the law prohibiting or restricting the sale. For purposes of this form, contacts to NICS which results in a denial of sale are those agencies that have been designated to conduct NICS checks for the Federal Government.
- 4 WARNING: Any seller who knowingly transfers a firearm to any person prohibited from possessing or possessing a firearm under the law even if the seller has complied with the background check requirements of the Brady law.
- 5 The seller of a firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the seller should be familiar with the provisions of 18 U.S.C. §§ 922-930 and the regulations appearing in 27 CFR Part 178. In determining the lawfulness of the sale or delivery of a rifle or shotgun to a resident of another State, the seller is presumed to know applicable State laws and published ordinances in both the seller's State and the buyer's State.
- 6 The transferee of a firearm should be familiar with 18 U.S.C. § 922. Generally, § 922 prohibits the shipment, transportation, receipt, or possession in or affecting interstate commerce of a firearm by one who: has been convicted of a misdemeanor crime of domestic violence; has been convicted of a felony, or any other crime, punishable by imprisonment for a term exceeding one year (this does not include State misdemeanors punishable by imprisonment of less than one year); is a fugitive from justice; is an unlawful user of, or addicted to, marijuana or any depressant stimulant, or narcotic drug, or any other controlled substance; has been adjudicated mentally defective or has been committed to a mental institution; has been discharged from the Armed Forces under dishonorable conditions; has renounced his or her U.S. citizenship; is an alien illegally in the United States or a nonimmigrant alien, or subject to certain restraining orders. Furthermore, section 922 prohibits the shipment, transportation, or receipt in or affecting interstate commerce of a firearm by one who is under indictment or information for a felony or any other crime, punishable by imprisonment for a term exceeding one year.
- EXCEPTION 1. A person who has been convicted of a felony, or other crime for which the judge could have imprisoned the person for more than one year who has been convicted of a misdemeanor crime of domestic violence, is prohibited from purchasing, receiving, or possessing a firearm if: (1) the law where the conviction occurred, the person was sentenced to prison, or the person was expelled or set aside, or the person was denied the right to vote, sit on a jury, and hold public office until after the expiration of the period prohibited by the law where the action occurred from purchasing or possessing firearms. Persons subject to this exception shall not be eligible for §§ 922(c) or 922(d), as applicable. A person who has been convicted of a misdemeanor crime of domestic violence also is not covered by this exception unless: (1) this person was represented by a lawyer or government attorney at a hearing, or (2) if the person was entitled to a jury trial, was tried by a jury, or gave up the right to a jury trial. Persons subject to this exception should answer "no" to questions 12c and 12d.
- EXCEPTION 2: A nonimmigrant alien is not prohibited from purchasing, receiving, or possessing a firearm if the alien: (1) is in possession of a hunting license or permit lawfully issued in the United States; (2) is an official representative of a foreign government who is accredited to the United States Government or their Government is affiliated to an international organization having its headquarters in the United States; or (3) has received a waiver from the prohibition from the Attorney General of the United States. (See 18 U.S.C. § 922(a)(2) for additional exceptions.) Persons subject to one of these exceptions should answer "yes" to questions 12e and 12f and provide the documentation requested by question 18c.
- 7 Under 18 U.S.C. § 922, firearms may not be sold to or received by persons subject to a court order that: (A) was issued after a hearing which the person received actual notice of and had an opportunity to participate in; (B) restrains each person

from harassing, stalking or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child; and (3)(g) includes a finding that such person represents a clear threat to the physical safety of such intimate partner or child; or (4) no statute explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that would reasonably be expected to cause bodily injury. For purposes of this prohibition, an "intimate partner" means, for a person, the spouse of that person, a former spouse of that person, an individual who has had a romantic relationship with that person or an individual who is a substitute or future spouse of that person.

- § 35-101. It is unlawful for a person to engage in the selling or buying of a limited license. A person is engaged in the selling or buying of a limited license if, during his or her lifetime, he or she devotes time, attention, and labor to the same as a regular course of trade or business with the principal purpose and intent of obtaining a limited license through the purchase and resale of limited licenses. A limited license is not required of a person who only makes occasional sales, purchases or exchanges of limited licenses for the attainment of a personal collection or for a hobby or who sells all or part of his or her personal collection of firearms.

INSTRUCTIONS TO TRANSFEREE

1. The buyer must personally complete Section A of this form and carefully (sign) that the answers are true and correct. However, if the buyer is unable to read and/or write, the answers (other than the signature) may be written by another person, including the seller. Two persons (other than the seller) must then sign as witnesses to the buyer's answers and signature.
 2. When the buyer of a firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business must complete Section A of the form with his or her personal information, sign Section A, and attach a written statement, executed under penalty of perjury, stating: (A) the firearm is being acquired for the use of and will be the property of that business entity, and (B) the name and address of that business entity.
 3. If the transfer of the firearm takes place on a different day from the date that the buyer signed Section A, the seller must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification in Section C at the time of transfer.
 4. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but does not reside at his or her permanent duty station, the buyer must list both his or her permanent duty station address and his or her residence address in response to question 18a.
- SECTION 2 - FIREARMS TO TRANSFEROR**
1. **Know Your Customer:** Before a licensee may sell or deliver a firearm to a nonresident, the licensee must establish the identity, place of residence, and name of the buyer. The buyer must provide a valid government-issued photo identification and the seller that contains the buyer's name, residence address, and date of birth. The licensee must record the type, identification number, and expiration date (if any) of the identification in question 18a. A driver's license or an identification card issued by a State in place of a license is acceptable. Social security cards are not acceptable because no address, date of birth, or photograph is shown on the cards. If the buyer is a member of the Armed Forces on active duty acquiring a firearm in the State where his or her permanent duty station is located, but he or she has a driver's license from another State, you should list the buyer's military identification card and official orders showing where his or her permanent duty station is located in response to question 18a.
 2. **SALE OF FIREARMS TO LEGAL ALIENS (PART 1):** A buyer who is not a citizen of the United States must provide additional documentation (beyond a valid government-issued photo identification that contains the buyer's name, residence address, and date of birth) to establish that he or she has resided in a State for at least 90 days prior to the date of the sale. See Definition 5. Examples of appropriate documents to establish State residency are utility bills from each of the last 3 months prior to the sale or a lease agreement which demonstrates 90 days of residency prior to the sale. (A licensee may attach a copy of the documentation to the ATF F 4473, rather than record the type of documentation in question 18b.)
 3. **SALE OF FIREARMS TO LEGAL ALIENS (PART 2):** Even if a nonimmigrant alien can establish State residency, he or she is prohibited from receiving a firearm unless he or she falls within an exception to the nonimmigrant alien prohibition. See Important Notice 5, Exception 2. If a nonimmigrant alien claims to fall within one of these exceptions by answering "yes" to question 13, he or she must

Important Notice Regarding Changes to the Firearms Transaction Record Part 1 - Over-the-Counter (Form 4473)

ATF F 4473 (5300.9) Part I - Page 4

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provide the licensee with documentation of the exception (e.g., hunting license/permit waiver). The licensee must record the type of documentation in question 18e and attach a copy of the document to the ATF F 4473. If the documentation is a hunting license/permit, the licensee must make sure it has not expired. An expired hunting license/permit does not qualify for the exception.

4. If the buyer's name is illegible, the seller must print the buyer's name above the name written by the buyer.
5. **NICS CHECK** After the buyer has completed Section A of the form and the licensee has completed questions 18-18e, and prior to transferring a firearm to a nonresident, the licensee must contact NICS in accordance with the instructions received from ATF (see instruction 7 below for NICS check exceptions). However, the licensee should NOT contact NICS and should stop the transfer if: the buyer answers "no" to question 12a; the buyer answers "yes" to any question in 12b-12d unless the buyer only has answered "yes" to question 12b and also answers "yes" to question 13; or the buyer is unable to provide the documentation required by question 18e b, c, or d.

At the time that NICS is contacted, the licensee must record in question 19 the date of contact, the NICS (or state) response, and the time of day provided by NICS or the state. If the licensee receives a "delayed" response prior to transferring the firearm, the licensee must record the date of any response subsequently provided by NICS for the transaction. If the licensee receives a "proceed" response from NICS after the firearm has been transferred, the licensee may record the information on the ATF F 4473. If the licensee receives a "denied" response, he or she may record the name and Brady ID number of any individual who makes a follow-up call in question 19b. Note: States acting as points of contact for NICS checks may use terms other than "proceed" or "denied" in such cases. The licensee should check the box that corresponds to the state's response. Some states may not provide a transaction number for denials. However, in any case where a firearm is transferred within the three business day period, a transaction number is required.

6. **NICS RESPONSES** If NICS provides a "proceed" response, the transaction may proceed. If NICS provides a "denied" response, the seller is prohibited from transferring the firearm to the buyer. If NICS provides a "delayed" response, the seller is prohibited from transferring the firearm unless 3 business days have elapsed and, prior to the transfer, NICS has not advised the seller that the buyer's receipt or possession of the firearm would be in violation of law. See 27 CFR § 178.102(a) for an example of how to calculate 3 business days.

7. **EXCEPTIONS TO NICS CHECK** A NICS check is not required if the transfer qualifies for any of the exceptions in 27 CFR § 178.102(d). Generally these include: (a) transfers where the buyer has presented the licensee with a permit or license that allows the buyer to possess, acquire, or carry a firearm, and the permit has been recognized by ATF as a valid alternative to the NICS check requirement; (b) transfers of National Firearms Act weapons approved by ATF; or (c) transfers certified by ATF as exempt because compliance with the NICS check requirements is impracticable. See section 178.102(d) for a detailed explanation. If the transfer qualifies for one of these exceptions, the licensee must obtain the supporting documentation required by 27 CFR § 178.131. A firearm must not be transferred to any buyer who fails to provide such documentation.

8. If the transfer takes place on a different day from the date that the buyer completes Section A, the licensee must again check the photo identification of the buyer prior to the transfer, and the buyer must complete the certification at the time of transfer.

9. Immediately prior to transferring the firearm, the licensee must complete Section B. The seller must print his or her name in question 20a and sign and date the form in question 22.

10. Additional firearms purchased by the same buyer must be reported to the form after the seller has signed and dated it. A buyer who wishes to purchase additional firearms after the seller has signed and dated the form must complete a new ATF F 4473. The seller must conduct a NICS check on this transaction.

11. In addition to completing this form, the seller must report any multiple sale or other disposition of pistols or revolvers in ATF F 3310.4. See 27 CFR § 178.128a.

12. If more than three firearms are involved in a transaction, the information required by Section D, questions 34-38, must be provided for those firearms on a separate sheet of paper which must be attached to this ATF F 4473 covering the transaction.

13. If the transfer occurs at a gun show authorized by 27 CFR § 178.100, the seller must record the location of the sale in question 17.

14. After the seller has completed the firearms transaction, he or she must make the completed, original ATF F 4473 (which includes the Important Notices, Instructions, and Definitions), and any supporting documents, part of his or her permanent records. Forms 4473 must be retained for at least 20 years. Filing may be

chronological (by date), alphabetical (by name), or numerical (by transaction serial number), as long as all of the seller's completed Forms 4473 are filed in the same number. **FORMS 4473 FOR DENIED TRANSFERS MUST BE RETAINED:** If the transfer of a firearm is denied by NICS for any other reason the transfer does not go through after a NICS check is initiated, the licensee must retain the ATF F 4473 in his or her records for at least 20 years. Forms 4473 with respect to which a sale, delivery or transfer is prohibited shall be separately retained in alphabetical (by name) or chronological (by date of transfer or certification) order.

15. The licensee must include any other information or information that is relevant to the transaction.

DEFINITIONS

1. **Over-the-Counter Transaction:** The sale or other disposition of a firearm by a seller to a buyer, occurring on the seller's licensed premises. This includes the sale or other disposition of a rifle or shotgun to a nonresident buyer on each premises.

2. **State Laws and Published Ordinances:** The publication of ATF F 5300.4 of State firearms laws and local ordinances ATF distributes to licensees.

3. **Under indictment or information or convicted in any court:** An indictment, information, or conviction in any Federal, State, local, or foreign court.

4. **Misdemeanor Crime of Domestic Violence:** A Federal, State, or local offense that is a misdemeanor under Federal or State law and has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with, or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim. This term includes all misdemeanors that have as an element the use or attempted use of physical force or the threatened use of a deadly weapon (e.g., assault and battery), if the offense is committed by one of the defined parties.

5. **State of Residence:** The State in which an individual resides. An individual resides in a State if he or she is present in a State with the intention of making a home in that State. If an individual is a member of the Armed Forces on active duty, his or her State of residence is the State in which his or her permanent duty station is located. An alien who is legally in the United States is a resident of a State only if the alien is residing in the State and has resided in the State for at least 90 days prior to the date of sale or delivery of a firearm. These examples illustrate this definition.

Example 1. A maintains a home in State X. A travels to State Y on a hunting trip. A does not become a resident of State Y by reason of such trip.

Example 2. A U.S. citizen maintains a home in State X and a home in State Y. A travels to State X on weekdays and to State Y on weekends. During the time A actually resides in State X, A is a resident of State X. During the time A actually resides in State Y, A is a resident of State Y.

6. **Immigrant Aliens:** Aliens who are in the United States in a nonimmigrant classification. This includes, but is not limited to, persons traveling temporarily in the United States for business or pleasure, persons studying in the United States who maintain a campus abroad, and certain foreign workers. This definition does NOT include permanent resident aliens.

PRIVACY ACT INFORMATION

Collection of this information is authorized under 18 U.S.C. § 823(g). Disclosure of the individual's social security number is voluntary. The number may be used to verify the individual's identity.

PAPERWORK REDUCTION ACT NOTICE

The information required on this form is in accordance with the Paperwork Reduction Act of 1995. The purpose of the information is to determine the eligibility of the transferee to receive firearms under Federal law. The information is subject to inspection by ATF officers and is required by 18 U.S.C. §§ 922 and 923.

The estimated average burden associated with this collection is 20 minutes per respondent or recorder, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Document Services Branch, Bureau of Alcohol Tobacco and Firearms, Washington, DC 20226.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

COUNTY OF LANCASTER

APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARMS

DO NOT DUPLICATE

FOR USE BY ISSUING AUTHORITY ONLY

SIGNATURE

LICENSE NO.

DATE APPLIED

DATE APPROVED

DATE REJECTED

REASON FOR REJECTION

PHOTOGRAPH
IF
REQUIRED

APPLICANT INFORMATION - TYPE/PRINT IN BLUE OR BLACK INK

1. LAST NAME Stollenwerk	2. JR. ETC.	3. FIRST NAME Michael	4. MIDDLE NAME Foley	5. DATE OF BIRTH	6. AGE 40	7. HEIGHT 6'1"	8. WEIGHT 190lbs
9. SEX Male	10. RACE Cauc.	11. EYE COLOR Brown	12. HAIR COLOR Red	13. DRIVER'S LICENSE NO./STATE (IF AVAILABLE) 20032580	14. SOCIAL SECURITY NO. Not Disclosed, If Any	15. HOME TELEPHONE NO. (703) 924-3693	
16. STREET ADDRESS 5573 Jowett Court				17. CITY Alexandria	18. STATE VA	19. ZIP CODE 22315	
20. EMPLOYER/BUSINESS NAME US Army				21. WORK TELEPHONE NO. (703) 806-5638	22. OCCUPATION Military Officer		
23. ADDRESS HQ, Center for Army Analysis				24. CITY Fort Belvoir	25. STATE VA	26. ZIP CODE 22060	
27. REASON FOR A LICENSE TO CARRY FIREARMS:							
<input checked="" type="checkbox"/> SELF-DEFENSE <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> HUNTING & FISHING <input type="checkbox"/> TARGET SHOOTING <input type="checkbox"/> GUN COLLECTING <input type="checkbox"/> OTHER:							

28. TWO REFERENCES - NOT IMMEDIATE FAMILY MEMBERS

NAME Bob Beck	ADDRESS 1811 Deer Park Rd., Finksburg, MD 21048	TELEPHONE NO. (410) 871-9298
NAME Bob Jones	ADDRESS 6707 Ordsall St., Alexandria VA 22315	TELEPHONE NO. (703) 921-2594

29. HAVE YOU EVER BEEN CONVICTED OF A CRIME ENUMERATED IN SECTION 6105 (b), OR DO ANY OF THE CONDITIONS UNDER 6105 (c) APPLY TO YOU? (READ INFORMATION ON BACK PRIOR TO ANSWERING)

☐ YES ☒ NO

30. ARE YOU NOW CHARGED WITH, OR HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR? (THIS DOES NOT INCLUDE FEDERAL OR STATE OFFENSES PERTAINING TO ANTITRUST, UNFAIR TRADE PRACTICES, RESTRAINTS OF TRADE, OR REGULATION OF BUSINESS; OR STATE OFFENSES CLASSIFIED AS MISDEMEANORS AND PUNISHABLE BY A TERM OF IMPRISONMENT NOT TO EXCEED TWO YEARS) (READ BLOCK 30 INFORMATION ON BACK PRIOR TO ANSWERING)

☐ YES ☒ NO

31. HAVE YOU EVER BEEN CONVICTED OF AN OFFENSE UNDER THE ACT OF APRIL 14, 1972 (P.L. 233, NO. 64), KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT?

☐ YES ☒ NO

32. ARE YOU AN INDIVIDUAL WHO, WITHIN THE PAST TEN YEARS, HAS BEEN ADJUDICATED A DELINQUENT FOR A CRIME ENUMERATED IN SECTION 6105 (REFER TO INFORMATION ON BACK), OR FOR AN OFFENSE UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE, AND COSMETIC ACT?

☐ YES ☒ NO

33. ARE YOU AN INDIVIDUAL WHO IS NOT OF SOUND MIND OR WHO HAS EVER BEEN COMMITTED TO A MENTAL INSTITUTION?

☐ YES ☒ NO

34. DO YOU POSSESS A CURRENT LICENSE, PERMIT OR SIMILAR DOCUMENT TO CARRY A FIREARM FROM A STATE OTHER THAN PENNSYLVANIA? (IF YES, ATTACH PHOTOCOPY TO APPLICATION)

☒ YES ☐ NO

35. ARE YOU A UNITED STATES CITIZEN?

IF NO, ENTER IMMIGRATION IDENTIFICATION NUMBER:

☒ YES ☐ NO

36. ARE YOU AN INDIVIDUAL WHO HAS BEEN DISCHARGED FROM THE ARMED FORCES OF THE UNITED STATES UNDER DISHONORABLE CONDITIONS?

☐ YES ☒ NO

37. IS YOUR CHARACTER AND REPUTATION SUCH THAT YOU WOULD BE LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY?

☐ YES ☒ NO

38. ARE YOU A HABITUAL DRUNKARD?

☐ YES ☒ NO

39. I HAVE NEVER BEEN CONVICTED OF A CRIME OF VIOLENCE IN THE COMMONWEALTH OF PENNSYLVANIA OR ELSEWHERE. I AM OF SOUND MIND AND HAVE NEVER BEEN COMMITTED TO A MENTAL INSTITUTION. I HEREBY CERTIFY THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT, IF I KNOWINGLY MAKE ANY FALSE STATEMENTS HEREIN, I AM SUBJECT TO PENALTIES PRESCRIBED BY LAW. I AUTHORIZE THE SHERIFF, OR HIS DESIGNEE, OR, IN THE CASE OF FIRST CLASS CITIES, THE CHIEF OR HEAD OF THE POLICE DEPARTMENT, OR HIS DESIGNEE, TO INSPECT ONLY THOSE RECORDS OR DOCUMENTS RELEVANT TO INFORMATION REQUIRED FOR THIS APPLICATION. THIS CERTIFICATION IS MADE SUBJECT TO BOTH THE PENALTIES OF SECTION 4904 OF THE CRIMES CODE (18 Pa.C.S. 4904) RELATING TO UNSWORN FALSIFICATIONS TO AUTHORITIES AND THE UNIFORM FIREARMS ACT.

SIGNATURE OF APPLICANT: *Michael F. Stollenwerk*

DATE OF APPLICATION: 7 July 2003

EXHIBIT "B"

LANCASTER COUNTY SHERIFF'S OFFICE**READ CAREFULLY!! INSTRUCTIONS FOR FIREARMS PERMIT APPLICANTS**

1. Applicant must be at least 21 years of age, and reside in Lancaster County. Proof of age and residency must be furnished when application is submitted. A post office box number will not be accepted as a legal residence.
2. Complete the Lancaster County application form. Form must be filled out legibly and completely by typing or printing in black or blue-black ink or it may not be accepted. You must bring this application and any attached documents to the Sheriff's Office personally. A payment of \$25.00 CASH (or money order made payable to the Sheriff of Lancaster County) is required when submitting your application. Following an investigation, you will be notified, by mail, as to whether your application has been approved or rejected. If rejected, a service fee of \$6.00 will be withheld, and you will receive a refund of \$19.00. **NOTICE:** The furnishing of false information or offering false evidence of identity is a violation of Section 4904 (relating to unsworn falsification to authorities).
3. Print legibly or type your current police agency: Fairfax County, VA Police Dept
4. Have you lived at your current address for the last 5 years? YES X NO
If No, see page #3 and list the identity and addresses of the law-enforcement agencies in which you legally resided in the last 5 years.
5. Do you have any experience in the safe handling of firearms? X YES NO
6. Have you previously applied for a firearms license? X YES NO
If yes, were you X ACCEPTED REJECTED? MONTH & YEAR: _____
If REJECTED, when, where, why _____
Is this a new application or renewal of a present permit (Expires _____)
7. Have you ever had a permit REVOKED? YES X NO
If yes, when, where, why? _____
8. YOUR PLACE OF BIRTH Chapel Hill NC USA
CITY STATE NATION
9. Pennsylvania ^{legal} resident 36 yrs., Lancaster County ^{legal} resident 36 yrs.
10. Return this sheet to the Sheriff's Office with your completed application.


TERRY A. BERGMAN
SHERIFF OF LANCASTER COUNTY

I hereby authorize the Sheriff of Lancaster County or his representative to conduct any investigation deemed necessary and to examine any pertinent documents for the purpose of establishing that my character and reputation are such that I would not act in a manner dangerous to public safety should I be granted a license to carry a concealed firearm.


SIGN YOUR NAME HERE

Michael F. Stollenwerk
PRINT YOUR NAME HERE

IDENTIFICATION AND RESIDENCY REQUIREMENTS FOR ALL PERMIT APPLICANTS

ALL PERMIT APPLICANTS ARE NOW REQUIRED TO **PROVIDE PRIMARY AND SECONDARY IDENTIFICATION** WHEN SUBMITTING AN APPLICATION TO THIS OFFICE.

PRIMARY IDENTIFICATION SHALL CONSIST OF ONE OF THE FOLLOWING:

1) A VALID PHOTO DRIVER'S LICENSE, (ISSUED BY PA DEPT. OF MOTOR VEHICLES) OR

2) A PHOTO IDENTIFICATION CARD, (ISSUED BY PA DEPT. OF MOTOR VEHICLES)

***PRIMARY IDENTIFICATION MUST CONTAIN THE APPLICANTS NAME, CURRENT ADDRESS, DATE OF BIRTH, RACE, SEX AND SIGNATURE.**

SECONDARY IDENTIFICATION SHALL CONSIST OF ONE OF THE FOLLOWING:

1) MORTGAGE PAYMENT RECEIPT

2) RESIDENTIAL LEASE AGREEMENT

3) UTILITY BILL

4) VEHICLE REGISTRATION CARD

5) VEHICLE INSURANCE CARD

6) HOME OWNERS INSURANCE POLICY

7) BANK STATEMENT

8) VALID LANCASTER CO. CONCEALED WEAPONS PERMIT

9) CREDIT CARD ACCOUNT STATEMENT

10) TAX BILLINGS

*** ALL SECONDARY IDENTIFICATION MUST BE CURRENT AND CONTAIN THE APPLICANTS NAME AND CURRENT ADDRESS.**

COMPLETE PRIOR ADDRESS

PRIOR POLICE DEPARTMENT
(INCLUDING ADDRESS)

4143 Via Marina
Marina del Rey, CA 90292

Los Angeles County Sheriff
Los Angeles, CA

2706 Windmill Drive
~~5th~~ ~~11th~~ Killen, TX 76549

Killen City Police Department
Killen, TX

155 5th Artillery Drive
Fort Leavenworth, KS

Provost Marshall
Fort Leavenworth, KS

*The Secretary of State
of the United States of America
hereby requests all whom it may concern to permit the citizen/
national of the United States named herein to pass
without delay or hindrance and in case of need to
give all lawful aid and protection.*

Le Secrétaire d'Etat
des Etats Unis d'Amerique
prie par les présentes toutes autorités compétentes de laisser passer
le citoyen ou ressortissant des Etats Unis titulaire du présent passeport
sans délai ni difficulté et, en cas de besoin, de lui accorder
toute aide et protection légitimes.

SIGNATURE OF BEARER/SIGNATURE DU TITULAIRE

NOT VALID UNTIL SIGNED



UNITED STATES OF AMERICA

Type/Catégorie / Code of issuing / Code du pays / State / Émetteur / PASSPORT NO./NO. DU PASSEPORT

P / Surname / Nom / 801143595

STOLLENWERK / Given names / Prénoms

MICHAEL FOLEY / Nationality / Nationalité

UNITED STATES OF AMERICA / Date of birth / Date de naissance

[REDACTED] / Sex / Sexe / Place of birth / Lieu de naissance

M / NORTH CAROLINA, U.S.A. / Date of issue / Date de délivrance

08 JULY/JUL 98 / Date of expiration / Date d'expiration

07 JULY/JUL 03 / Authority / Autorité / Amendments / Modifications

PASSPORT AGENCY / SEE PAGE

WASHINGTON, D.C.

[illegible]



USAA
FEDERAL
SAVINGS
BANK



FDIC
INSURED

DM03648/002873 M

MICHAEL F STOLLENWERK
5573 JOWETT CT
ALEXANDRIA VA 22315-5540

5	ACCOUNT NUMBER
17	STATEMENT DATE
	06/16/03

PAGE 1

BALANCE LAST STATEMENT	NO. OF DEBITS PAID	TOTAL AMOUNT OF DEBITS PAID	NO. OF DEP	TOTAL AMOUNT OF DEPOSITS MADE	SERVICE CHARGES	BALANCE THIS STATEMENT
7,150.33	17	8,685.12	5	8,212.93	.00	6,678.14

Please examine immediately and report if incorrect. If no report is received within 60 days, the account will be considered correct.

WOULD YOU PREFER ONLINE DELIVERY OF YOUR BANK STATEMENT?
ENROLL AT USAA.COM. CLICK DOCUMENTS, TOP RIGHT CORNER.
FOUR STAR CHECKING

DEPOSITS AND OTHER CREDITS

DATE	AMOUNT	TRANSACTION DESCRIPTION
05/29	3,638.64	ACH CREDIT 053003
		DFAS-IN IND, IN ARMY ACT 191500602
06/09	832.60	COLONIAL
06/12	3,736.39	ACH CREDIT 061303
		DFAS-IN IND, IN ARMY ACT 191500602
06/16	4.00	ATM SURCHARGE REBATE
06/16	1.30	INTEREST PAID

CHECKS

DATE	CHECK NO.	AMOUNT	DATE	CHECK NO.	AMOUNT
05/30	1542	45.00	06/06	1549	2,500.00
05/30	1543	13.00	06/04	1550	2,400.00
05/20	1548*	661.00			

OTHER DEBITS

DATE	AMOUNT	TRANSACTION DESCRIPTION
05/19	201.50	ATM DB NONLOCAL 051903
		100 S FAIRFAX ALEXANDRIA VA
05/20	509.32	ACH DEBIT 052003
		HOMEQ SERVICING MTGE PMTS 0301230918
05/27	202.00	ATM DB NONLOCAL 052603
		SPRINGFIELD MALL 3 SPRINGFIELD VA
05/28	109.87	ACH DEBIT 052803
		USAA P&C PREMIUM PAY 945200304
05/29	458.79	ACH DEBIT 052903
		CITIBANK-AUTOPAY PAYMENT DJ9XBRD5+BG8
06/02	201.00	ATM DB NONLOCAL 060203
		6050 GORGAS ROAD PX FT BELVOIR VA
06/02	84.86	ACH PAYMENT
		TRANSFER FROM LOANS 2100200000000000080391766
06/09	69.00	ACH DEBIT 060903
		WASHINGTON GAS GASPAYMENT 3161667220



Commonwealth of Virginia, Circuit Court of Fairfax File #. L210306

Permit to Carry a Concealed Handgun

(Must be carried with proper photo ID)

Name: MICHAEL F. STOLLENWERK

Address: 5573 JOWETT COURT
ALEXANDRIA, VA 22315

DOB: [REDACTED]

Height: 6'1"

Weight: 194

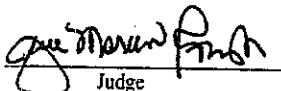
Gender: M

Hair: RED

Eyes: BROWN

Issue Date: 01/30/2003

Exp Date: 01/30/2008


Judge


Permittee



Washington
Gas



ACCOUNT INFORMATION

Service Address: 5573 Jowett Ct

Mailed 05/19/03
Account Number 3141447338
Meter ID No H83132
Rate Class RESIDENTIAL HEAT/COOL
Level 1
Next Meter Reading Date 06/13/03
Days in This Billing Period 29

Gas Use	Reading	Date	Method
Current Reading	6445	05/14/03	READ BY CO.
Previous Reading	- 6421	04/15/03	READ BY CO.
CCF of Gas Used	24		
Unmetered Gas Light (CCF)	+		
Total CCF of Gas Used	24		
Conversion Factor	X 1.029		
Total Therms (TH) Used	24.7		

12-MONTH ENERGY USE HISTORY

Mo.	Yr.	TH	Mo.	Yr.	TH
APR	03	45	OCT	02	20
MAR	03	105	SEP	02	23
FEB	03	129	AUG	02	10
JAN	03	79	NO DATA		
DEC	02	89	NO DATA		
NOV	02	41	NO DATA		

Total TH 602

BUDGET PLAN INFORMATION

Monthly Installment \$ 69.00
Used to Date \$ 733.90
Installments Billed to Date 10
Paid to Date \$ 621.00

GAS USAGE DETAIL

TOTAL THERMS USED	24.7
DISTRIBUTION SERVICE	
DISTRIBUTION CHARGE	
24.7 TH @ \$.4599	11.36
SYSTEM CHARGE	10.30
NATURAL GAS SUPPLY SERVICE	
PGC @ \$.7324	18.09
LOCAL UTILITY TAX	1.82
STATE & LOCAL	
ST. & LOCAL CONSUMPTION	
TAX	0.47
TOTAL GAS CHARGES	\$ 42.04

CHARGES

PREVIOUS BILL AMOUNT	69.00
AUTOMATED PAYMENT	69.00
CHARGES THIS PERIOD	
BUDGET INSTALLMENT	69.00
TOTAL THIS PERIOD	69.00
TOTAL DUE	\$ 69.00

TO AVOID LATE PAYMENT CHARGES, FULL PAYMENT MUST BE RECEIVED BY THE DUE DATE.

THIS PAYMENT WILL BE COLLECTED THROUGH AUTOMATED PAYMENT PLAN.
ON 06/09/03, YOUR BANK ACCOUNT WILL BE CHARGED \$69.00

Important customer information is on the back of this bill.

Please detach this stub and return with payment. Make check payable to WASHINGTON GAS or pay online at www.washingtongas.com.



Washington
Gas

1100 H Street NW
Washington, D.C. 20080-0001
202-624-6049 • 703-750-1000

ADDRESS SERVICE REQUESTED



Washington Area Fuel Fund
Check box and include donation
with payment. (If you have
previously pledged a donation,
do not check box.)

Account No. 3141447338
Due Date 06/09/03
Amount Due \$ 69.00
Amount Paid \$

Donation Amount \$



Mailing Address or Name Change?
Please check box and complete form on back.

0000011558 *****AUTO** 5-DIGIT 22310

MIKE STOLLENWERK
5573 JOWETT CT
ALEXANDRIA VA 22315

Washington Gas
PO Box 830036
Baltimore, MD 21283-0036



AUTOMATED PAYMENT PLAN

COMMONWEALTH OF
PENNSYLVANIA
DRIVER'S LICENSE
VALID 021344 0577 188888
VEDO LANC...
2003-560 MAR 31 1985
MICHAEL E. STOLLENBERG
1024 COTTAGE AVE
MILLERSVILLE PA 17551
MICHAEL E. Stollenberg

The Secretary of State
of the United States of America

requests all whom it may concern to permit the citizen /
nationalist of the United States named herein to pass
without delay or hindrance and in case of need to
give all lawful aid and protection.

Le Secrétaire d'Etat
des Etats-Unis d'Amerique

par les présentes toutes autorités compétentes de laisser passer
sans ou ressortissant des Etats Unis titulaire du présent passeport
sans délai ni difficulté et en cas de besoin de lui accorder
toute aide et protection légitimes.

SIGNATURE OF BEARER/SIGNATURE DU TITULAIRE

NOT VALID UNTIL SIGNED

UNITED STATES DEPARTMENT OF STATE

Type / Catégorie : Ordinary passport / Passeport ordinaire
Country / Pays : USA
Surname / Nom : STOLLENWERK
Given names / Prénoms : MICHAEL FOLEY
Nationality / Nationalité : UNITED STATES OF AMERICA
Date of birth / Date de naissance : [REDACTED]
Sex / Sexe : Male
Place of birth / Lieu de naissance : NORTH CAROLINA, U.S.A.
Date of issue / Date de délivrance : 08 JUL 98
Authority / Autorité : PASSPORT AGENCY

WASHINGTON, D.C.

Amendments / Modifications SEE PAGE 27

STOLLENWERKS<<MICHAEL<FOLEY<<<<<<<<<<<<<<
56USA6303275M0307075<<<<<<<<<<<<<<<<<



SHERIFF'S OFFICE

LANCASTER COUNTY, PENNSYLVANIA

50 NORTH DUKE STREET, PO BOX 83480, LANCASTER, PA. 17608-3480
TELEPHONE: 717-299-8200
FAX: 717-295-3656

TERRY A. BERGMAN, SHERIFF

July 11, 2003

Mr. Michael F. Stollenwerk
5573 Jowett Court
Alexandria, Va. 22315

DOB: [REDACTED]
SOC: (not provided)

This is to inform you that your application for a license to carry a firearm has been rejected as not fulfilling the legal requirements of the Uniform Firearms Act, Chapter 61, Sub Chapter A Section 6109 of the Crimes Code of the Commonwealth of Pennsylvania.

To wit: On 07-07-03 you appeared at the Lancaster County Sheriff's Office to apply for a permit to carry a concealed weapon. At this time you made it clear that you were not going to supply our office with your social security number or disclose whether or not you had one. I, (Cpl. Troupe) advised you at that time that in order for our office to move forward with your criminal history background check we would need your Social security number. You were also advised that you certainly have the right to apply for a permit without your social security number but the process could not move forward without it.

Our office then contacted the Pennsylvania State Police Firearms Unit and they advised our office that we cannot initiate a background check without a Social security number.

According to Section 6109 (e)(3) of the Pa Crimes Code, you must provide your social security number. The particular portion of this section of the crimes code reads as follows:

The license shall bear the name, address, date of birth, race, sex, citizenship, **social security number**, height, weight, color of hair, color of eyes and signature of the licensee; the signature of the Sheriff issuing the licence; the reason for issuance; and the period of validation.

You have the right to appeal this decision but must do so within (30) days hereof

PLEASE NOTE: This check for \$19.00 represents a refund for the unearned portion of your original \$25.00 deposit. A \$6.00 service charge has been deducted. This check must be cashed regardless of any future action that may or may not be taken concerning the rejection, appeal or granting of your application. Failure to cash this check promptly may result in your forfeiture to this amount.

A handwritten signature in black ink that reads "Terry A. Bergman". The signature is stylized with a large, sweeping initial 'T'.

Terry A. Bergman
Sheriff of Lancaster County

EXHIBIT "C"

57502

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF

LANCASTER

DO NOT DUPLICATE

APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARMS

FOR USE BY ISSUING AUTHORITY ONLY

SIGNATURE

LICENSE NO.

PHOTOGRAPH
IF
REQUIRED

DATE APPLIED

DATE APPROVED

DATE REJECTED

REASON FOR REJECTION

Did not provide Soc. Sec. #

APPLICANT INFORMATION - TYPE/PRINT IN BLUE OR BLACK INK

1. LAST NAME Stollenwerk	2. JR. ETC.	3. FIRST NAME Michael	4. MIDDLE NAME Foley	5. DATE OF BIRTH	6. AGE 40	7. HEIGHT 6'1"	8. WEIGHT 190lb
9. SEX Male	10. RACE Cauc	11. EYE COLOR Brown	12. HAIR COLOR Red	13. DRIVER'S LICENSE NO./STATE (IF AVAILABLE) 20032580/PA	14. SOCIAL SECURITY NO. Not Disclosed, If Any	15. HOME TELEPHONE NO. (703) 924-3693	
18. STREET ADDRESS 5573 Jowett Court				17. CITY Alexandria		16. STATE VA	19. ZIP CODE 22315
20. EMPLOYER/BUSINESS NAME US Army				21. WORK TELEPHONE NO. (703) 806-5638		22. OCCUPATION Military Officer	
23. ADDRESS HQ, Center for Army Analysis				24. CITY Fort Belvoir		25. STATE VA	26. ZIP CODE 22060

27. REASON FOR A LICENSE TO CARRY FIREARMS:



SELF-DEFENSE



EMPLOYMENT



HUNTING & FISHING



TARGET SHOOTING



GUN COLLECTING



OTHER:

28. TWO REFERENCES - NOT IMMEDIATE FAMILY MEMBERS

NAME Bob Beck	ADDRESS 1811 Deer Park Rd., Finksburg, MD 21048	TELEPHONE NO. (410) 871-9298
NAME Bob Jones	ADDRESS 6707 Ordsall St., Alexandria VA 22315	TELEPHONE NO. (703) 921-2594

29. HAVE YOU EVER BEEN CONVICTED OF A CRIME ENUMERATED IN SECTION 6105 (b), OR DO ANY OF THE CONDITIONS UNDER 6105 (c) APPLY TO YOU? (READ INFORMATION ON BACK PRIOR TO ANSWERING)

☐YES ☒ NO

30. ARE YOU NOW CHARGED WITH, OR HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR? (THIS DOES NOT INCLUDE FEDERAL OR STATE OFFENSES PERTAINING TO ANTITRUST, UNFAIR TRADE PRACTICES, RESTRAINTS OF TRADE, OR REGULATION OF BUSINESS; OR STATE OFFENSES CLASSIFIED AS MISDEMEANORS AND PUNISHABLE BY A TERM OF IMPRISONMENT NOT TO EXCEED TWO YEARS) (READ BLOCK 30 INFORMATION ON BACK PRIOR TO ANSWERING)

☐YES ☒ NO

31. HAVE YOU EVER BEEN CONVICTED OF AN OFFENSE UNDER THE ACT OF APRIL 14 1972 (P.L. 233, NO. 64), KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT?

☐YES ☒ NO

32. ARE YOU AN INDIVIDUAL WHO, WITHIN THE PAST TEN YEARS, HAS BEEN ADJUDICATED A DELINQUENT FOR A CRIME ENUMERATED IN SECTION 6105 (REFER TO INFORMATION ON BACK), OR FOR AN OFFENSE UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE, AND COSMETIC ACT?

☐YES ☒ NO

33. ARE YOU AN INDIVIDUAL WHO IS NOT OF SOUND MIND OR WHO HAS EVER BEEN COMMITTED TO A MENTAL INSTITUTION?

☐YES ☒ NO

34. DO YOU POSSESS A CURRENT LICENSE, PERMIT OR SIMILAR DOCUMENT TO CARRY A FIREARM FROM A STATE OTHER THAN PENNSYLVANIA? (IF YES, ATTACH PHOTOCOPY TO APPLICATION)

☒YES ☐ NO

35. ARE YOU A UNITED STATES CITIZEN?

IF NO, ENTER IMMIGRATION IDENTIFICATION NUMBER: _____

☒YES ☐ NO

36. ARE YOU AN INDIVIDUAL WHO HAS BEEN DISCHARGED FROM THE ARMED FORCES OF THE UNITED STATES UNDER DISHONORABLE CONDITIONS?

☐YES ☒ NO

37. IS YOUR CHARACTER AND REPUTATION SUCH THAT YOU WOULD BE LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY?

☐YES ☒ NO

38. ARE YOU A HABITUAL DRUNKARD?

☐YES ☒ NO

39. I HAVE NEVER BEEN CONVICTED OF A CRIME OF VIOLENCE IN THE COMMONWEALTH OF PENNSYLVANIA OR ELSEWHERE. I AM OF SOUND MIND AND HAVE NEVER BEEN COMMITTED TO A MENTAL INSTITUTION. I HEREBY CERTIFY THAT THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT, IF I KNOWINGLY MAKE ANY FALSE STATEMENTS HEREIN, I AM SUBJECT TO PENALTIES PRESCRIBED BY LAW. I AUTHORIZE THE SHERIFF, OR HIS DESIGNEE OR, IN THE CASE OF FIRST CLASS CITIES THE CHIEF OR HEAD OF THE POLICE DEPARTMENT, OR HIS DESIGNEE, TO INSPECT ONLY THOSE RECORDS OR DOCUMENTS RELEVANT TO INFORMATION REQUIRED FOR THIS APPLICATION. THIS CERTIFICATION IS MADE SUBJECT TO BOTH THE PENALTIES OF SECTION 4904 OF THE CRIMES CODE (18 Pa.C.S. 4904) RELATING TO UNSWORN FALSIFICATIONS TO AUTHORITIES AND THE UNIFORM FIREARMS ACT.

SIGNATURE OF APPLICANT:

DATE OF APPLICATION:

4 NOV 2003

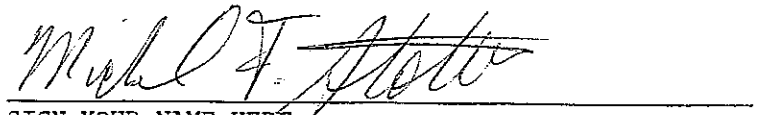
EXHIBIT "D"

LANCASTER COUNTY SHERIFF'S OFFICE**READ CAREFULLY!! INSTRUCTIONS FOR FIREARMS PERMIT APPLICANTS**

1. Applicant must be at least 21 years of age, and reside in Lancaster County. Proof of age and residency must be furnished when application is submitted. A post office box number will not be accepted as a legal residence.
2. Complete the Lancaster County application form. Form must be filled out legibly and completely by typing or printing in black or blue-black ink or it may not be accepted. You must bring this application and any attached documents to the Sheriff's Office personally. A payment of \$25.00 CASH (or money order made payable to the Sheriff of Lancaster County) is required when submitting your application. Following an investigation, you will be notified, by mail, as to whether your application has been approved or rejected. If rejected, a service fee of \$6.00 will be withheld, and you will receive a refund of \$19.00. **NOTICE:** The furnishing of false information or offering false evidence of identity is a violation of Section 4904 (relating to unsworn falsification to authorities).
3. Print legibly or type your current police agency: Fairfax County, VA Police Dept.
4. Have you lived at your current address for the last 5 years? YES ☒ NO
If No, see page #3 and list the identity and addresses of the law-enforcement agencies in which you legally resided in the last 5 years.
5. Do you have any experience in the safe handling of firearms? ☒ YES NO
6. Have you previously applied for a firearms license? ☒ YES NO
If yes, were you ACCEPTED ☒ REJECTED? MONTH & YEAR: July 2003
unlawful denial of my right
If REJECTED, when, where, why Lancaster County - to apply w/out my SSA per 50 USC 552a note.
Is this a ☒ new application or renewal of a present permit (Expires)
7. Have you ever had a permit REVOKED? YES ☒ NO
If yes, when, where, why?
8. YOUR PLACE OF BIRTH Chapel Hill NC USA
CITY STATE NATION
9. Pennsylvania ^{legal} resident 37 yrs., Lancaster County resident 37 yrs.
10. Return this sheet to the Sheriff's Office with your completed application.


TERRY A. BERGMAN
SHERIFF OF LANCASTER COUNTY

I hereby authorize the Sheriff of Lancaster County or his representative to conduct any investigation deemed necessary and to examine any pertinent documents for the purpose of establishing that my character and reputation are such that I would not act in a manner dangerous to public safety should I be granted a license to carry a concealed firearm.


SIGN YOUR NAME HERE
Michael F. Stollenwerk
PRINT YOUR NAME HERE

IDENTIFICATION AND RESIDENCY REQUIREMENTS FOR ALL PERMIT APPLICANTS

ALL PERMIT APPLICANTS ARE NOW REQUIRED TO **PROVIDE PRIMARY AND SECONDARY IDENTIFICATION** WHEN SUBMITTING AN APPLICATION TO THIS OFFICE.

PRIMARY IDENTIFICATION SHALL CONSIST OF ONE OF THE FOLLOWING:

- 1) **A VALID PHOTO DRIVER'S LICENSE**, (ISSUED BY PA DEPT. OF MOTOR VEHICLES) **OR**
- 2) **A PHOTO IDENTIFICATION CARD**, (ISSUED BY PA DEPT. OF MOTOR VEHICLES)

***PRIMARY IDENTIFICATION MUST CONTAIN THE APPLICANTS NAME, CURRENT ADDRESS, DATE OF BIRTH, RACE, SEX AND SIGNATURE.**

SECONDARY IDENTIFICATION SHALL CONSIST OF ONE OF THE FOLLOWING:

- 1) MORTGAGE PAYMENT RECEIPT
- 2) RESIDENTIAL LEASE AGREEMENT
- 3) UTILITY BILL
- 4) VEHICLE REGISTRATION CARD
- 5) VEHICLE INSURANCE CARD
- 6) HOME OWNERS INSURANCE POLICY
- 7) BANK STATEMENT
- 8) VALID LANCASTER CO. CONCEALED WEAPONS PERMIT
- 9) CREDIT CARD ACCOUNT STATEMENT
- 10) TAX BILLINGS

*** ALL SECONDARY IDENTIFICATION MUST BE CURRENT AND CONTAIN THE APPLICANTS NAME AND CURRENT ADDRESS.**

COMPLETE PRIOR ADDRESS

4143 Via Marina #519

Marina del Rey, CA 90292

2706 Windmill Drive

Killeen, TX 76549

155 5th Artillery Drive

Fort Leavenworth, KS

PRIOR POLICE DEPARTMENT
(INCLUDING ADDRESS)

Los Angeles County Sheriff

Los Angeles, CA

Killeen City Police Dept.

Killeen, TX

Provost Marshall

Fort Leavenworth, KS

*Le Secrétaire d'Etat
des Etats-Unis d'Amérique
prie par les présentes toutes autorités compétentes de laisser passer
le citoyen ou ressortissant des Etats-Unis titulaire du présent passeport,
sans délai ni difficulté et, en cas de besoin, de lui accorder
toute aide et protection légitimes.*

SIGNATURE OF BEARER/SIGNATURE DU TITULAIRE

UNITED STATES OF AMERICA
PASSPORT NO. AUC DU PASSEPORT
101421962

TYPE/Catégorie: P
Date of Issuing / date de délivrance: 08 DEC/DEC 93
State / État: USA
Surname / Nom: STOLLENWERK
Given names / Prénoms: MICHAEL FOLEY
Nationality / Nationalité: UNITED STATES OF AMERICA
Date of birth / Date de naissance: [REDACTED]
Sex / Sexe: M
Place of birth / Lieu de naissance: NORTH CAROLINA, U.S.A.
Date of expiration / Date d'expiration: 07 DEC/DEC 03
Amendments/ Modifications: SEE PAGE 24

BOSTON

BOSTON

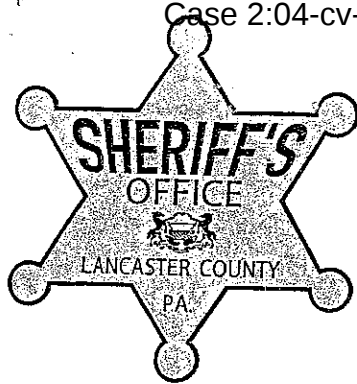
24

P<USASTOLLENMERK<<MICHAEL<FOLEY<<<<<<<<<<<<<<<<<<
1014219626USA6303275M0312071<<<<<<<<<<<<<<<<<<2

CERTIFICATE OF REGISTRATION
LANCASTER COUNTY
(717) 299-8200

7-39-8293

ST. LOUIS, MO. 63103
77 ROCKFORD ROAD
MOUNTVILLE, PA. 17554
DISTRICT 2400
SERIAL



SHERIFF'S OFFICE

LANCASTER COUNTY, PENNSYLVANIA

50 NORTH DUKE STREET, PO BOX 83480, LANCASTER, PA. 17608-3480

TELEPHONE: 717-299-8200

FAX: 717-295-3656

TERRY A. BERGMAN, SHERIFF

December 1, 2003
Mr. Michael F. Stollenwerk
5573 Jowett Court
Alexandria, Va. 22315
DOB: [REDACTED]
SOC: (not provided)

This is to inform you that your application for a license to carry a firearm has been rejected as not fulfilling the legal requirements of the Uniform Firearms Act, Chapter 61, Sub Chapter A Section 6109 of the Crimes Code of the Commonwealth of Pennsylvania.

To wit: On 11-04-03 you appeared at the Lancaster County Sheriff's Office to apply for a permit to carry a concealed weapon. At this time you made it clear that you were once again applying for a Concealed Weapons Permit without providing your social security number. You were advised that nothing has changed concerning the application process which requires you to provide your social security number at the time you submit your application. Regardless, you were told that you have the right to apply.

Our office then contacted the Pennsylvania State Police Firearms Unit and they advised our office that we cannot initiate a background check without a Social security number.

According to Section 6109 (e)(3) of the Pa Crimes Code, you must provide your social security number. The particular portion of this section of the crimes code reads as follows:

The license shall bear the name, address, date of birth, race, sex, citizenship, **social security number**, height, weight, color of hair, color of eyes and signature of the licensee; the signature of the Sheriff issuing the licence; the reason for issuance; and the period of validation.

Enclosed with this letter of rejection you will find the prior letter of rejection dated 07-11-03 and also a letter from the Pennsylvania State Police.

You have the right to appeal this decision but must do so within (30) days hereof

PLEASE NOTE: This check for \$19.00 represents a refund for the unearned portion of your original \$25.00 deposit. A \$6.00 service charge has been deducted. This check must be cashed regardless of any future action that may or may not be taken concerning the rejection, appeal or granting of your application. Failure to cash this check promptly may result in your forfeiture to this amount.

A handwritten signature in black ink that reads "Terry A. Bergman".

Terry A. Bergman
Sheriff of Lancaster County



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

July 10, 2003

Mr. Michael Stollenwerk
5573 Jowett Court
Alexandria, Virginia 22315

Dear Mr. Stollenwerk:

This letter is in response to your recent correspondence directed to Lieutenant Joseph Elias, expressing concerns regarding the requirement for a social security number to be provided at the time of a purchase of a firearm, and upon application for a license to carry firearms.

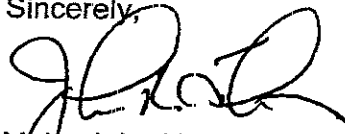
In Pennsylvania, we are required to comply with state and federal firearm laws. Although federal law does not require the social security number for the transfer of a firearm, for either a handgun or long gun transfer, state law is very specific and does require the social security number. This requirement is found in the Pennsylvania Uniform Firearms Act, 18 Pa. C.S. Chapter 61. The social security number is necessary in order to conduct a background check through the Pennsylvania Instant Check System (PICS), to determine an individual's eligibility to acquire and possess firearms, or to obtain a license to carry firearms.

Notification to the public regarding the requirement and use of the social security number for the firearm application process in the PICS program is provided in the Pennsylvania Uniform Firearms Act and through publication in the *Pennsylvania Bulletin*.

The social security number assists the firearm background check process in determining identification of the subject of the inquiry and minimizes the time it takes to conduct the check. Without detailed numeric and physical description information, a background check may take significantly longer. If definite identification cannot be ascertained, a firearm transfer or license applicant transaction will not be authorized.

I trust this information will be helpful in clarifying the Pennsylvania requirement for the social security number within the firearm background check process. If you have further questions or require additional information, please contact Corporal R.L. Reidenbaugh, Supervisor, Firearms Administrative Section, at telephone 717-772-1896.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Thierwechter', written over the printed name.

Major John K Thierwechter
Director, Bureau of
Records and Identification

COPY

APPENDIX G

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL STOLLENWERK

v.
 JEFFREY B. MILLER, in his official capacity as
 the Commissioner for the Pennsylvania State
 Police; MAJOR JOHN K. THIERWECHTER, in his
 official and individual capacities; LANCASTER
 COUNTY SHERIFF'S OFFICE; and TERRY A. BERGMAN
 in his official and individual capacities

CIVIL ACTION NO.

IO: (NAME AND ADDRESS OF
DEFENDANT)

Major John K. Thierwechter

YOU ARE HEREBY SUMMONED and required to serve upon

Plaintiff's Attorney (Name and Address)

J. Dwight Yoder
 Gibbel, Kraybill & Hess
 41 East Orange Street
 Lancaster, PA 17602

an answer to the complaint which is herewith served upon you, within days after service of this summons upon
 you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
 relief demanded in the complaint.

Michael E. Kunz, Clerk of Court

Date:

(By) Deputy Clerk

APPENDIX G

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL STOLLENWERK

v.
 JEFFREY B. MILLER, in his official capacity as
 the Commissioner for the Pennsylvania State
 Police; MAJOR JOHN K. THIERWECHTER, in his
 official and individual capacities; LANCASTER
 COUNTY SHERIFF'S OFFICE; and TERRY A. BERGMAN
 in his official and individual capacities

CIVIL ACTION NO.

IO: (NAME AND ADDRESS OF
 DEFENDANT)

Lancaster County Sheriff's Office

YOU ARE HEREBY SUMMONED and required to serve upon

Plaintiff's Attorney (Name and Address)

J. Dwight Yoder
 Gibbel, Kraybill & Hess
 41 East Orange Street
 Lancaster, PA 17602

an answer to the complaint which is herewith served upon you, within days after service of this summons upon
 you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
 relief demanded in the complaint.

Michael E. Kunz, Clerk of Court

Date:

(By) Deputy Clerk

APPENDIX G

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL STOLLENWERK

v.
 JEFFREY B. MILLER, in his official capacity as
 the Commissioner for the Pennsylvania State
 Police; MAJOR JOHN K. THIERWECHTER, in his
 official and individual capacities; LANCASTER
 COUNTY SHERIFF'S OFFICE; and TERRY A. BERGMAN
 in his official and individual capacities

CIVIL ACTION NO.

IO: (NAME AND ADDRESS OF
DEFENDANT)

Terry A. Bergman

YOU ARE HEREBY SUMMONED and required to serve upon

Plaintiff's Attorney (Name and Address)

J. Dwight Yoder
 Gibbel, Kraybill & Hess
 41 East Orange Street
 Lancaster, PA 17602

an answer to the complaint which is herewith served upon you, within days after service of this summons upon
 you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
 relief demanded in the complaint.

Michael E. Kunz, Clerk of Court

Date:

(By) Deputy Clerk

APPENDIX G

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL STOLLENWERK

v.
 JEFFREY B. MILLER, in his official capacity as
 the Commissioner for the Pennsylvania State
 Police; MAJOR JOHN K. THIERWECHTER, in his
 official and individual capacities; LANCASTER
 COUNTY SHERIFF'S OFFICE; and TERRY A. BERGMAN
 in his official and individual capacities

CIVIL ACTION NO.

TO: (NAME AND ADDRESS OF
DEFENDANT)

Jeffrey B. Miller

YOU ARE HEREBY SUMMONED and required to serve upon

Plaintiff's Attorney (Name and Address)

J. Dwight Yoder
 Gibbel, Kraybill & Hess
 41 East Orange Street
 Lancaster, PA 17602

an answer to the complaint which is herewith served upon you, within days after service of this summons upon
 you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the
 relief demanded in the complaint.

Michael E. Kunz, Clerk of Court

Date:

(By) Deputy Clerk

UNITED STATES DISTRICT COURT

APPENDIX A

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: Michael Stollenwerk - 5573 Jowett Court, Alexandria, VA 22315
 Address of Defendant: Miller & Thierwechter - 1800 Elmerton Avenue, Harrisburg, PA 17110
Lanc. Co. Sheriff & Bergman - 50 North Duke Street, P.O. Box 83480, 17608-348
 Place of Accident Incident or Transaction: Lancaster County, Pennsylvania
 (Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

- 1 Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
- 2 Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
- 3 Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases

1. ☐ Indemnity Contract Marine Contract and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify)

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, J. Dwight Yoder, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs.
- ☒ Relief other than monetary damages is sought.

DATE: 11/24/04

J. Dwight Yoder
Attorney-at-Law

81985

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within cases not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/24/04

J. Dwight Yoder
Attorney-at-Law

81985

Attorney I.D.#

JS 44 (Rev. 3/99)

CIVIL COVER SHEET

APPENDIX B

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

I. (a) PLAINTIFFS

Michael Stollenwerk

(b) County of Residence of First Listed Plaintiff Lancaster
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

J. Dwight Yoder
Gibbel, Kraybill & Hess
41 East Orange Street
Lancaster, PA 17602
717-291-1700

DEFENDANTS

Jeffrey B. Miller, Major John K.
Theirwechter, Lancaster County Sheriff's
Office, and Terry A. Bergman

County of Residence of First Listed Dauphin
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☐ 1 DEF Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4 DEF
Citizen of Another State ☐ 2 ☐ 2 DEF Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5 DEF
Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 DEF Foreign Nation ☐ 6 ☐ 6 DEF

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY—Med. Malpractice <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIW C/DIW W (405 (g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

(Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Plaintiff claims violations of his privacy rights under the United States and Pennsylvania Constitutions

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE

IN THE UNITED STATES DISTRICT COURT APPENDIX C
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

MICHAEL STOLLENWERK

CIVIL ACTION

v.
JEFFREY B. MILLER, MAJOR JOHN K. THEIRWECHTER,
LANCASTER COUNTY SHERIFF'S OFFICE, and
TERRY A. BERGMAN

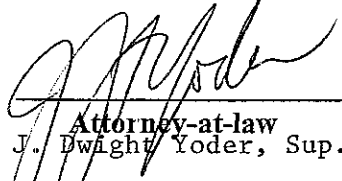
NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus -- Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security -- Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ()
- (c) Arbitration -- Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos -- Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management -- Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management -- Cases that do not fall into any one of the other tracks. (X)

11/24/04
Date



Attorney-at-law
J. Dwight Yoder, Sup. Ct. Atty. #81985

Plaintiff
Attorney for

APPENDIX D

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

CONSENT TO RECEIVE NOTICE OF ORDERS AND JUDGMENTS IN CIVIL AND
CRIMINAL CASES BY MEANS OF FACSIMILE TRANSMISSION
AND WAIVER OF PROVISIONS OF FED.R.CIV.P. 77(d) OR FED.R. CRIM.P. 49(c)
PROVIDING FOR SAID NOTICE BY MEANS OF MAIL

TO THE CLERK OF COURT:

I hereby waive the provisions of Fed.R.Civ.P. 77(d) or Fed.R.Crim.P. 49(c) providing for notice of the entry of Orders or Judgments by mail in the manner provided by Fed.R.Civ.P. 5 or Fed.R.Crim.P. 49(c), and consent that notice may be given to me, in all pending and future civil or criminal cases in which I enter my appearance, by the Clerk of Court by facsimile in lieu of notice by means of mail. I understand that this form, when executed, will serve as Notice to and Authorization for the Clerk of Court to keep this information on file for all pending and future civil or criminal cases in which I enter my appearance.

I hereby confirm, by execution of this form, that I understand that it is my responsibility to notify the Clerk of Court, in writing, of my current address and facsimile number

J. Dwight Yoder
Name (Printed)

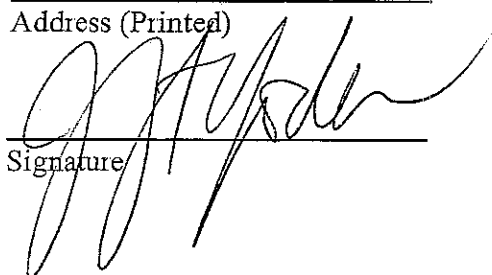
81985
Bar Id Number

41 East Orange Street
Address (Printed)

717-291-1700
Telephone Number

Lancaster, PA 17602
Address (Printed)

717-291-5547
FAX Number


Signature

11/24/04
Date

APPENDIX E

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

INFORMATION FORM

Name: J. Dwight Yoder Bar Id No.: 81985

Firm: Gibbel, Kraybill & Hess

Address: 41 East Orange Street, Lancaster, PA 17602

City: Lancaster State: PA Zip Code*: 17602 - 2846

Facsimile No: 717-291-5547

Please return completed form to:

Michael E. Kunz
Clerk of Court
United States District Court
for the Eastern District of Pennsylvania
U.S. Courthouse
601 Market Street, Room 2609
Philadelphia, PA 19106-1797

- or -

FAX to:

(215) 597-6390
(267) 299-7135
(610) 434-6174

*** Please include zip code and 4-digit extension number**

☐ Indicate here if you would like to receive information on the Pilot Fax Notice Program

☐ Indicate here if you would like to receive a Directory of Automated Services